

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1999-334-C - ORDER NO. 2000-0065
JANUARY 14, 2000

IN RE: Doug McClure,)	ORDER REQUIRING
)	ORAL ARGUMENTS
Complainant/Petitioner,)	AND EMPLOYMENT OF
)	AN ATTORNEY
vs.)	
)	
BellSouth Telecommunications, Inc.,)	
)	
Respondent/Defendant.)	
)	

This matter comes before the Public Service Commission of South Carolina (the Commission) for consideration of a Motion for Protective Order filed by BellSouth Telecommunications, Inc. (BellSouth). BellSouth states that the complainant, Doug McClure, has served voluminous interrogatories, totaling 206 if subparts are considered. BellSouth alleges that the number of interrogatories exceeds the number allowed by the South Carolina Rules of Civil Procedure. BellSouth also states that the information sought by the complainant is not relevant, and that the interrogatories themselves are burdensome, overly broad, and immaterial. Accordingly, BellSouth requests a protective Order from this Commission.

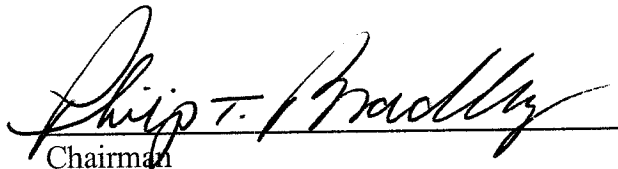
McClure responds and asks that we reject the Motion. McClure, however, admits that he "may well have exceeded generally acceptable rules," since he is not an attorney. He also states that his discovery should be given a broad and liberal treatment.

We note that McClure's response to BellSouth's Motion purports to represent the interests of SCESCAPE, Inc., McClure's corporation. We also take notice from the various paperwork already filed in this case, that the BellSouth account in question belongs to SCESCAPE, Inc., not to McClure personally.


Our examination of the Motion for Protective Order and the response reveal a very complex set of circumstances. We believe that we are not able to discern all of the nuances in this matter from merely reading the materials. Accordingly, we hold that oral arguments shall be set on the Motion for Protective Order. Further, since the account at issue belongs to SCESCAPE, Inc., a corporation, we hold that the complainant corporation must obtain an attorney to represent it during said oral arguments. We do not believe that a corporate officer may represent a corporation during oral arguments over a legal motion. We hold that an attorney is necessary for the complainant to be in conformance with our Regulation 103-804 (S).

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)